


TOWN OF ACTON
Building Department
INTERDEPARTMENTAL COMMUNICATION

5/10
⑨

To: Board of Selectmen **Date:** April 30, 2004
From: Garry A. Rhodes, Building Commissioner 
Subject: Site Plan Special Permit #04/04/03-390 amendment
816 Main Street (Hunter)

The Board has requested I draft an amended Decision. The amended Decision is to provide standards for reuse of material on site. I have used the standard recommended by Bruce Stamski DPW Director for the Base Course. I have also used the two standards recommended by Doug Halley Health Director.

#####

DECISION of the Board of Selectmen (hereinafter the Board) on the requested amendment of Philip Pittorino (hereinafter the Petitioner) for the property located at 816 Main Street Acton, Massachusetts. Said property is shown on Acton Town Atlas Map C-5 Parcel 59.

This Decision is in response to a letter submitted to the Board on March 23, 2004 by the Petitioner for an amendment of Site Plan Special Permit under Section 10.4 of the Acton Zoning Bylaw (hereinafter the Bylaw) to amend Findings and Conclusions 1.6 and Condition 3.3.

Under section 4.7 the Board reserves the right to amend the permit on its own or at the request of the Petitioner with or without a new hearing. The Board had determined a new hearing is not required. Board members Walter Foster, Trey Shupert III, Peter Ashton, F. Dore Hunter and Robert Johnson were present throughout the proceedings.

The record of the proceedings and submissions upon which this permit is based may be referred to in the Office of the Town Clerk, or the Office of the Board.

Exhibit I

A letter from Mr. Pittorino dated March 23, 2004 requesting an amendment.

1. An IDC from the Building Commissioner dated April 12, 2004
2. Engineering Administrator dated April 7, 2004
3. Health Department dated April 09, 2004

1.0 Findings and Conclusions

Based upon its review of the exhibits and records of the proceedings, the Board found and concluded that:

- 1.1 The Board deletes Condition 3.3 as written and replaces with a new Condition as follows. The Applicant may use reclaimed base borrow material for sub-base course as prescribed by Massachusetts Highway Department 1995 Standard Specifications for Highways and Bridges (M1.11.0). The Applicant shall also comply with MGL C. 111 § 122 for the removal of rubbish and solid waste. In addition the applicant shall comply with 310 CMR 16.05. Compliance with MGL C. 111 § 122 and 310 CMR 16.05 shall be done to the satisfaction of the Board of Health. The Applicant shall also be allowed to use reprocessed material under the buildings subject to the review by a structural engineer as approved by the Building Commissioner. The Engineer of Record shall review all records to determine compliance with the approved Plan.
- 1.2 The remainder of the Decision shall remain in full force and effect.

Therefore, the Board voted to **GRANT** the requested Amendment of the Site Plan Special Permit.

#####

5.0 **Appeals**

Any person aggrieved by this Decision may appeal pursuant to the General Laws, Chapter 40A, Section 17 within 20 days after the filing of this Decision with the Acton Town Clerk.

Witness our hand this day of ,2004

F. Dore` Hunter, Chairman

I, Christine Joyce, hereby certify that this is a true copy of the Decision of the Board of Selectmen.

Christine Joyce, Recording Secretary

Date filed with Town Clerk

Edward J. Ellis, Town Clerk

TO WHOM IT MAY CONCERN: This is to certify that the 20 day appeal period on the Decision of Philip Pittorino has passed and there have been no appeals made to this office.

Date

Edward J Ellis, Town Clerk

cc: Petitioner
Building Commissioner
Planning Board
Engineering
Conservation
Director of Municipal Properties
Board of Health
Town Clerk
Planning Boards - Concord, Littleton, Westford, Maynard, Carlisle, Boxboro, Stow, Sudbury